



Minutes of Meeting

November 9, 2004

Acton Memorial Library

DATE DEC. 15, 2004

TOWN CLERK, ACTON

Planning Board members Ms. Lauren Rosenzweig (Chairman), Mr. Greg Niemyski, Ms. Stacy Rogers, Mr. William King, and Mr. Gary Sullivan were in attendance. Also present were Town Planner, Mr. Roland Bartl

and Planning Board Secretary, Ms. Maura Haberman. Mr. Christopher Schaffner, Mr. Hart Millett, Associate Ruth Martin and Associate Mr. Edmund Starzec were unable to attend.

Ms. Rosenzweig called the meeting to order at 7:30 p.m.

I. **Citizens Concerns**

There were no citizen concerns.

II. **Consent Agenda**

Minutes of 10/26/04 were approved unanimously as written.

III. **Reports**

**CPC:** Ms. Rosenzweig reported that the last meeting was canceled and there is nothing to report at this time.

**OLEC:** No information to report at this time.

**MAGIC:** Mr. King informed the Board of an upcoming meeting on November 18 at 7:30 p.m. in Stow.

**EDC:** Ms. Rosenzweig reported they have not met.

**OTHER:**

**W.R. Grace:** Ms. Rosenzweig informed the board that a preliminary EPA report for the reuse is in preparation. She is working on the Planning Board's input for this report in conjunction with other Boards.

**Sculpture Park Advisory Committee:** Mr. Niemyski nominated Mr. Gary Sullivan to represent the Planning Board on this newly formed committee, seconded by Mr. King. Vote 5-0.

IV. **"Sylvia Place"**

Mr. Paul Gaboury and Mr. Glenn Kaufmann addressed the Planning Board to seek a recommendation to the Zoning Board of Appeals to consider a 6-unit affordable housing plan for Sylvia Place under the Acton Affordable Housing Overlay Bylaw. They will also be meeting with the Board of Selectmen on Monday night. Mr. Gaboury reported they had presented their plan to the Acton Community Housing Corporation (ACHC). The ACHC will not support an 8-unit plan, but they will support a compromised 6-unit plan. The ACHC would use Community Preservation funds to purchase a unit.

Mr. Gaboury reported that they currently have two abutters who object to any 40B project. Mr. Gaboury and Mr. Kauffman reported they have had four well-attended meetings with abutters. Mr. Bartl confirmed that due to the small acreage, a variance would be needed for this project. "Sylvia Place" is in a high density affordable housing overlay district which was created in 1990. Mr. Gaboury informed the Board he purchased this property as a good investment. The decision was based on the land being in an overlay district, and in accordance with South Acton Village Plan. He informed the Board that this was a business decision and that to-date has invested over a year of work and over \$300,000.

There were two abutters present to express to the Board their concerns. Mr. Tim Malloy of 8 Sylvia Street and Ms. Susan Hipsky of 4 Sylvia Street.

Ms. Hipsky's expressed her concerns being:

- Sylvia Street is a dead-end street.
- It would double the occupancy on Sylvia Street.

- There would be a change from single occupancy homes to multifamily homes.
- The impact on property value—decreasing?
- Double to triple the road traffic.
- A change to mixed use/commercial—feeling this is entirely a single family.
- She fears in 5 years this will all be condominiums at the end of the street.

Mr. Tim Malloy would like to see the Planning Board revisit abutting lots on Sylvia Street for possible rezoning (through Town Meeting) taking away the affordable overlay zoning status, so that all condominium housing are located on thru streets only. Mr. Bartl responded that the overlay districts are determined by looking at villages and areas that are within a half mile to village centers and properties which are large enough to support projects with higher densities. When viewing what is available, this is one of the areas that shows. There are other areas in South Acton.

Ms. Rosenzweig asked the abutters if they came to Town Hall to check if their homes were in an overlay district. Ms. Hispsky never came across this when she purchased her home in 1996 and she was sure she was buying into a single family home neighborhood. Mr. Niemyski suggested to the abutters that the land (open space) be bought around them and to check zoning before purchasing property. He informed the abutters that this zoning overlay district went through public meetings, public hearings, and was voted at a Town Meeting where it passed with over 2/3 vote.

Mr. Gaboury reported he can get to a sewer line, so there would be no worry of septic. He said that all Sylvia Street homes have septic problems. Mr. Malloy said that he would keep his septic, rather than have 6-8 units of housing and have sewer.

Ms. Rosenzweig felt as far as what had been presented that the Board, a vote or recommendation from the Planning Board could be given to Mr. Gaboury as to the Planning Board's input. Mr. Sullivan's overall observation is favorable in concept. Mr. Sullivan moved that the Board support the application to the Zoning Board of Appeals for waivers to consider a 6-unit affordable housing plan for Sylvia Place under the Acton Affordable Housing Overlay Bylaw. Mr. Niemyski seconded. Motion passed 4-0-1. Mr. King abstained until site visit.

#### V. Nomination of Acton MAPC Representative

Ms. Rosenzweig volunteered to be the Acton MAPC Representative. Mr. King nominated Ms. Rosenzweig, seconded by Mr. Sullivan. Vote: 5-0

#### Discussion:

- *Robbins Mill Estates Update:* Mr. Bartl reported that the plans have been signed.
- *Woodlands at Laurel Hill:* Mr. King inquired about adding a playground to the plans for the Woodlands at Laurel Hills Project. Ms. Rosenzweig suggested that if Mr. King can attend an upcoming ZBA meeting, that he suggest it so it can be added.
- *State of the Town Meeting:* Ms. Rosenzweig had prepared for the Board a draft of items and information for this meeting. These include affordable housing, property taxes, and NESWC. Mr. Niemyski asked how many of the affordable housing projects have been unfriendly. Mr. Bartl said that 540 Main Street, but until then, none. Mr. Niemyski felt the town has been successful with the developers and would like to know the numbers over the past 10 years in which the Planning Board has worked with developers on how many units or how much in funds have been received.

The meeting adjourned at 8:50 p.m.